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|-------------------------------|------------------------|---------------------|--|
| <b>Notice of Allowability</b> | <b>Application No.</b> | <b>Applicant(s)</b> |  |
|                               | 10/785,372             | KASPER ET AL.       |  |
|                               | Examiner               | Art Unit            |  |
|                               | ALEXANDER BOAKYE       | 2667                |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTO-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to 11/28/2005.
2.  The allowed claim(s) is/are 38, 40-58, 61-66; renumbered as 1-26 respectively.

3.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)  All    b)  Some\*    c)  None    of the:

1.  Certified copies of the priority documents have been received.
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

*Alpus H. HSU*  
ALPUS H. HSU  
PRIMARY EXAMINER

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
  - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

#### Attachment(s)

- |  |  |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                 | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____. | 7. <input type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material           | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|  | 9. <input type="checkbox"/> Other _____.   |

1. The drawings filed on 02/24/2004 have been approved by the examiner.

## **REASONS FOR ALLOWANCE**

2. The following is an examiner's statement of reasons for allowance: Claims 38, 40-58 and 61-66 are considered allowable since when reading the claims in light of the specification, none of the references of record alone or in combination disclose or suggest the combination of limitations specified in the independent claims. As to claims 38 and 40-44, the prior art of record does not teach setting early congestion notification bits within an interrupt register of a memory in the network device after generating the status error indicator within the buffer. As to claims 45-51, the prior art of record does not teach in response to the status error indicator, generating an early congestion interrupt to the host processor indicative that a frame overflow has occurred within the buffer and setting early congestion notification bits within the network device after generating the status error indication within the memory.

As to claims 52-56, the prior art of record does not teach generating a status error indicator within a buffer of a network device indicative of a frame overflow within the buffer; generating from the buffer an early congestion interrupt to a communications processor in response to the status error indicator. As to claims 57-61, the prior art of record does not teach a memory having an interrupt register and early notification bits

that are set in response to a status error indicator as a status error bit corresponding to an overflow within the buffer and a flip-flop that is set to indicate the status error bit overflow has occurred within the buffer.

As to claims 62-66, the prior art of record does not teach a memory having an interrupt register and early notification bits that are set in response to a status error indicator corresponding to an overflow within the buffer; and a means for enhancing the servicing of received frames by one of either increasing the number of words of the memory burst size or modifying the time-slice of other active processes. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### **Conclusion**

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alexander Boakye whose telephone number is (571) 272-3183. The examiner can normally be reached on M-F from 8:30am to 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi Pham, can be reached on (571) 272-3179. The Central Fax number is (571) 273-8300. Any inquiry of a general nature or relating to the status of this

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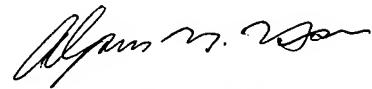
application or proceeding should be directed to the Electronic Business Center numbers  
866-217-9197 and 703-305-3028.

Alexander Boakye

Patent Examiner

AB

02/15/06



ALPUS H. HSU  
PRIMARY EXAMINER